IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.19 OF 2007

IN

SUMMARY SUIT NO.1702 OF 2006

State Bank of India. ...Plaintiff.

vs.

1.Smt.Vrinda Rajiv Phadnis & anr. ...Defendants.

Mr.Prakash Shinde i/b. M/s.Dhruva & Co., for Plaintiff.

Mr.J.R.Chomal, for Defendant.

CORAM: D.K.DESHMUKH,J.

DATED: 13th February, 2007.

P.C.:-

1. The summons for judgment has been served on the defendants on 29.1.2007. The plaintiff undertakes to file affidavit of service within two weeks from today. Within the time allowed by Order 37 of C.P.C. the defendants have not applied for leave to defend. Therefore, in terms of the provisions of Order 37 of C.P.C. the plaintiff is entitled to a judgment.

2. Heard the learned Counsel appearing for plaintiff. Perused the record. The suit of the plaintiff is based on the agreement entered into between the plaintiff-bank and the defendants. The amount was not repaid, therefore, a demand notice was served on the defendants. The acknowledgment shows that the defendants have received the demand notice. The notice was not replied to. Even application for leave to defend has not been filed. Therefore, the summons for judgment is granted. Suit of the plaintiff is decreed in terms of prayer clause (a) and (b). Refund of court fees as per rules.